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United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects
9-20 July 2001

Note verbale dated 6 July 2001 from the Permanent Mission of Azerbaijan and the Permanent Observer Mission of Switzerland to the United Nations addressed to the Secretary-General of the Conference, transmitting the Chairmen's conclusions of a workshop on "Small Arms and Light Weapons: Practical Challenges for the Implementation of Current Undertakings in the Organization for Security and Cooperation in Europe and the Euro-Atlantic Partnership Council", held at Baku on 21 and 22 June 2001

The Permanent Mission of Azerbaijan to the United Nations and the Permanent Observer Mission of Switzerland to the United Nations present their compliments to the Secretary-General of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects and have the honour to transmit the Chairmen's conclusions of a workshop on "*Small Arms and Light Weapons: Practical Challenges for the Implementation of Current Undertakings in the Organization for Security and Cooperation in Europe and the Euro-Atlantic Partnership Council*", held at Baku, Azerbaijan on 21 and 22 June 2001 (see annex).

The Permanent Mission of Azerbaijan and the Permanent Observer Mission of Switzerland to the United Nations request the Secretariat to circulate the attached paper as an official document of the Conference.

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Annex

Joint Azerbaijani-Swiss workshop, 21-22 June 2001

Small arms and light weapons: practical challenges for the implementation of current undertakings in the Organization for Security and Cooperation in Europe and the Euro-Atlantic Partnership Council

Chairmen's conclusions

I

All participants thanked the governments of Azerbaijan and Switzerland for their initiative in hosting and sponsoring the workshop on Small Arms and Light Weapons (SALW). Participants recognised that the workshop had been called at an opportune time – a month before the UN Conference on the Illicit Trade in Small Arms and Light Weapons in all its Aspects.

Participants stressed the importance of the forthcoming UN conference, scheduled to begin on 9 July with a "small arms destruction day", not least because it would address the global dimensions of the problem. Participants underlined the importance of promoting the principles and norms contained in the OSCE Document at the UN Conference, recognising that many of the concepts underpinning the Document could have wider application.

II

Many participants stressed the importance of implementing the commitments in the OSCE Document in the field, through a range of actors, including, as appropriate, OSCE missions and field operations, and EU projects, as well as bi- and multi-lateral projects at the sub-regional level under EAPC auspices. They welcomed in particular the work of the EAPC on the management and security of small arms stockpiles, as well as the offer extended by the United States (on behalf of Norway and Germany) to conduct stockpile management and security and destruction assessments in OSCE-EAPC States. Participants also heard presentations on the efforts of the OSCE Missions to Moldova and Georgia, and the OSCE Presence in Albania, in monitoring weapons removal and destruction in their respective host countries. Participants noted the need for verification of weapons collection, military means to conduct destruction and involvement of a lead donor nation. Participants also noted that conflicts, by their nature, could create favourable conditions for illicit trafficking of SALW.

A proposal was made to create a list of experts who could provide technical and/or legal assistance on request. Participants also stressed the need for co-ordination, including through joint initiatives, between the various actors in the field to avoid unnecessary duplication and promote the efficient use of resources. The OSCE and the EAPC were encouraged to exchange information on a regular basis and seek to further develop co-operation in the field of Small Arms and Light Weapons. The Secretary General of the OSCE suggested the establishment of pilot projects in co-operation with, and at the request of, host countries.

III

Participants looked forward with interest to the exchanges of information agreed in the OSCE Document, some of which are due to take place on 30 June 2001. They noted that, in many participating States, preparations for the exchanges of information had revealed unexpected variations in practice within States. One participating State had adopted a special internal act for the approval and implementation of the Document; one participant raised the issue of potential conflicts between the transparency requirements of the document and commercial contractual confidentiality, on which individual governments might need to take action. An assessment of the exchange of information would be needed during the early autumn. Such an assessment might in due course contribute to the development of best practice. There was some support for the suggestion that participating States could consider sharing, on an individual and voluntary basis, their information exchange submissions with an independent institution such as the Small Arms Survey.

IV

Participants heard a number of presentations on national implementation practices covering marking, record-keeping and tracing, as well as export policy, procedures and documentation. These were intended to further national implementation of the relevant commitments contained in the OSCE Document.

The discussion group on marking drew attention to the link between marking systems and national licensing, and between marking systems and record-keeping. They identified a number of differences between the OSCE Document and the subsequent UN Firearms Protocol, including the need for import markings. They called for early co-ordination to eliminate the chance of duplicate markings.

The discussion group on tracing noted that although weapons marking was essential for developing a tracing mechanism, it was only one element of a broader process such as the French-Swiss initiative. Many additional elements could be found in the OSCE Document. They suggested that more attention should be paid to the point at which a licit transfer becomes illicit, and proposed that the requirement to respond promptly and accurately to tracing requests from the UN Secretary General be expanded to include UN Resolutions as well as embargoes.

The group dealing with international co-operation and assistance noted both the need to mobilise funds and stimulate requests for assistance. They called for a clearing house system to better match projects and project funding. Such a system could operate on a regional or sub-regional basis, and involve NGOs and civil society.

V

Participants heard presentations from the countries of the South Caucasian region on their national procedures for export control, and discussed the possibilities of regional co-operation. Reference was made to the Sofia Declaration and Statement of December 1999, adopted at the regional export control conference for South-East Europe, which were thought to be worthy of further study. Participants recognised the link between export controls and the need for control of brokering activities, on which there was extensive discussion based on the report of the Panel of Experts. The discussion group on brokering focused on the practical questions of registration and licensing, and discussed the merits of a legal instrument and model regulations at the regional or global level. There were calls for the provision of training and technical assistance for the development of export and brokering control regimes, as well as for an assessment of the information to be exchanged within the OSCE on export, import and brokering controls. An independent evaluation of those information exchanges (based on the model of the Vienna Document Defence Planning reports) was suggested.

Baku, Azerbaijan
22 June 2001